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CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1652

Introduced by Assembly Member Sweeney

(Coauthors: Assembly Members Alquist, Baca, Honda, Keeley, Knox, Kuehl, Lempert, Mazzoni, Ortiz, and Shelley)

(Coauthors: Senators Alpert and Watson)

January 8, 1998

An act to amend Sections 51871, 51872, 51874, 51875, and 51876 of, to amend and renumber Sections 51881 and 51884 of, to add Section 51871.5 to, and to repeal Sections 51870, 51873, 51877, and 51883 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1652, as amended, Sweeney. Education technology.

Existing law, known as the Morgan-Farr-Quackenbush Education Technology Act of 1992 (hereafter the act), has the primary mission of ensuring that the procurement and use of technology is clearly guided by the needs of pupils. The act

establishes the Education Council for Technology in Learning with various duties. Existing law provides for the repeal of the act as of June 30, 1998.

This bill would make the act inoperative on June 30, 2003, and would repeal it as of January 1, 2004.

This bill would revise the responsibilities of the Education Council for Technology in Learning. The bill would authorize the council to make policy recommendations in areas which include statewide planning for education technology, including a statewide master plan for use of education technology in the elementary and secondary instructional program, dissemination of technology resources, and development of guidelines for ongoing comprehensive statewide evaluation of all technology, telecommunications, and distance learning programs that directly and indirectly affect California education in kindergarten and grades 1 to 12, inclusive. The bill would decrease the number of council members from 13 to 12 and change the appointment process for future members of the council.

The bill would require the State Department of Education to establish the California Technology Assistance Project, to be composed of regional consortia, that would administer a regionalized network of technical assistance to schools and school districts on the implementation of education technology and provide at the request of school districts and county offices of education, leadership and support activities for school districts and county offices of education in order to meet locally defined technology-based needs. The bill would also make various technical and conforming changes in these provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51870 of the Education Code is
2 repealed.



1 SEC. 2. Section 51871 of the Education Code is
2 amended to read:

3 51871. For the purposes of this article, the following
4 terms shall have the following meanings, unless the
5 context otherwise requires:

6 (a) "Council" means the Education Council for
7 Technology in Learning established by Section 51872.

8 (b) "Technology" means technology-based materials,
9 equipment, systems, and networks.

10 SEC. 3. Section 51871.5 is added to the Education
11 Code, to read:

12 51871.5. (a) It is the intent of the Legislature that
13 education technology planning be accomplished in the
14 most comprehensive cost-effective manner possible. To
15 that end, the current practice of developing education
16 technology plans for each funding program should be
17 replaced with one comprehensive local planning process
18 that will provide direction for the utilization of any
19 available education technology program.

20 (b) By December 31, 1998, the council shall
21 recommend guidelines and criteria to the State Board of
22 Education for assisting school districts in the preparation
23 of five-year technology plans for the integration of
24 technology into the school curriculum. At a minimum,
25 the technology plans shall be integrated, where allowed
26 by law, with School Improvement Plans and Title I Plans
27 and include a staff development and technical support
28 component. The council shall recommend a process to
29 the State Board of Education for certifying a school
30 district's technology plan.

31 (c) On or after January 1, 2000, a school district shall
32 have a certified technology plan as a precondition of
33 receiving any technology grant administered by the State
34 Department of Education. This requirement may be
35 waived by the State Board of Education if it is determined
36 that the applicant school district made a good faith effort
37 to develop a certified local technology plan, but for
38 reasons beyond its control, the district cannot develop the
39 plan before receipt of the technology grant.

(d) The State Department of Education shall maintain a record of school districts that have obtained approved five-year education technology plans, and shall make that information available to any interested public agencies.

SEC. 4. Section 51872 of the Education Code is amended to read:

51872. The Education Council for Technology in Learning is hereby established to make policy recommendations to the State Board of Education in areas including, but not necessarily limited to, all of the following:

(a) Statewide planning for education technology, including a statewide master plan for use of education technology in California's elementary and secondary instructional program which, at a minimum, accomplishes all of the following:

(1) A process for annually updating the plan according to changing educational needs and emerging technological developments.

(2) The use of multiple technologies.

(3) The coordination of technology programs with all other appropriate state education programs including programs for blind and disabled pupils.

(4) The integration of technology into all state and federal education initiatives where appropriate.

(5) The active involvement of business and industry.

(6) ~~Provides for a~~ A comprehensive evaluation process that is aligned with the state's overall educational program evaluation system.

(7) Works with the California Technology Assistance Project to implement policies of the council to integrate technology into the curriculum.

(b) Dissemination of technology resources, including all of the following:

(1) The development, identification, and access to information about programs, products, and practices that meet content, quality, and established technical criteria.

(2) The development of guidelines for the regional and statewide dissemination of information and services through the California Technology Assistance Project.

(c) The development of guidelines for ongoing comprehensive statewide evaluation of all technology, telecommunications, and distance learning programs that directly and indirectly affect California education in kindergarten and grades 1 to 12, inclusive.

SEC. 5. Section 51873 of the Education Code is repealed.

SEC. 6. Section 51874 of the Education Code is amended to read:

51874. (a) The Education Council for Technology in Learning shall consist of ~~44~~ 12 members who shall be appointed as follows:

(1) The Governor shall appoint nine at-large members.

(2) The Senate Committee on Rules shall appoint one at-large member.

(3) The Speaker of the Assembly shall appoint one at-large member.

(4) The Superintendent of Public Instruction shall appoint one at-large member.

(b) (1) Members shall serve two-year terms. No member shall serve for more than two terms.

(2) Notwithstanding paragraph (1), for council appointments commencing with the term beginning on July 1, 1998, only, five members appointed by the Governor shall serve a term of one year and six members shall serve a term of two years. Members who are designated to serve either the two-year term or the one-year term may be reappointed to serve a second two-year term.

(c) Members shall be persons who have an expertise in education technology as an aid to teaching and learning and may include, but are not necessarily limited to, classroom teachers, school administrators, school librarians, library media teachers, citizens, representatives of institutions of higher education, and members of the business community.

(d) No private business entity shall have more than one of its officers or employees serving as a member of the council.

1 (e) Members shall serve without compensation,
2 except that members shall be reimbursed for necessary
3 reasonable expenses incurred in the performance of their
4 duties.

5 (f) The members shall be subject to the
6 conflict-of-interest provisions of the Political Reform Act
7 of 1974, as set forth in Title 9 (commencing with Section
8 81000) of the Government Code.

9 (g) The Executive Director of the California
10 Postsecondary Education Commission, the President of
11 the State Board of Education, the Executive Director of
12 the Commission on Teacher Credentialing, and the
13 Executive Director of the Curriculum Commission shall
14 each appoint one nonvoting liaison to the Education
15 Council for Technology in Learning.

16 (h) Funding to support the Education Council for
17 Technology in Learning shall be provided through the
18 annual Budget Act.

19 SEC. 7. Section 51875 of the Education Code is
20 amended to read:

21 51875. (a) The State Department of Education shall
22 administer this article. The duties of the department shall
23 include, but are not necessarily limited to, the following:

24 (1) Assisting the Education Council for Technology in
25 Learning to make recommendations to the State Board
26 of Education on education technology plans, policies,
27 programs, and activities.

28 (2) Providing support staff to the Education Council
29 for Technology in Learning.

30 (3) Providing for the statewide coordination and
31 evaluation of education technology programs and
32 resources.

33 (4) Advancing the use of technology in the curriculum
34 and in the administration of elementary and secondary
35 schools.

36 (b) Funding to support the activities enumerated in
37 subdivision (a), including educational technology
38 services which are more efficiently and effectively
39 delivered at a statewide level, shall be provided to the
40 State Department of Education through the annual

1 Budget Act. The State Board of Education, after
2 receiving a recommendation from the California
3 Technology Assistance Project, and after consulting with
4 the Education Council for Technology in Learning and
5 other interested parties, shall fund school districts and
6 county offices of education to provide centralized
7 statewide educational technology services that address
8 locally defined needs but that are more efficiently and
9 effectively provided on a statewide basis.

10 SEC. 8. Section 51876 of the Education Code is
11 amended to read:

12 51876. School districts, county offices of education,
13 and state special schools may apply to the State Board of
14 Education to participate in grant programs related to
15 education technology, including, but not limited to, staff
16 development, research and development, and evaluation
17 and dissemination of education technology resources.

18 SEC. 9. Section 51877 of the Education Code is
19 repealed.

20 SEC. 10. Section 51881 of the Education Code is
21 amended and renumbered to read:

22 51877.5. (a) The California Technology Assistance
23 Project shall be established by the State Department of
24 Education to administer a regionalized network of
25 technical assistance to schools and school districts on the
26 implementation of education technology as set forth in
27 policies of the State Board of Education. The California
28 Technology Assistance Project shall be composed of
29 regional consortia that will provide, at the request of
30 school districts and county offices of education,
31 leadership and support activities for school districts and
32 county offices of education in order to meet locally
33 defined technology-based needs, as identified in the
34 certified technology plans for their client school districts,
35 including, but not necessarily limited to, all of the
36 following areas:

- 37 (1) Staff development.
- 38 (2) Learning resources.
- 39 (3) Hardware.
- 40 (4) Telecommunications infrastructure.

1 (5) Technical assistance to school districts in
2 developing a support system to operate and maintain an
3 education technology infrastructure, including
4 improving pupil recordkeeping and tracking related to
5 pupil instruction.

6 (6) Coordination with other federal, state, and local
7 programs.

8 (7) Funding.

9 (b) The State Board of Education shall award grants to
10 fund a school district or county office of education in each
11 region of the California Technology Assistance Project to
12 act as the lead agency to administer the services of that
13 region. The lead agency shall be chosen through a process
14 based on all of the following:

15 (1) Knowledge of technology.

16 (2) Technology planning and technical assistance.

17 (3) A proven record of success in providing staff
18 development in technology and curriculum integration.

19 (4) A demonstrated ability to work collaboratively
20 with school districts, county offices of education, and
21 businesses in the region.

22 (5) The ability to deliver services specified in this
23 article to all school districts and county offices of
24 education in their region.

25 (6) The degree of support for the application by school
26 districts and county offices of education in the region.

27 (7) Review of the annual report of the services
28 provided by the lead agency submitted to the State Board
29 of Education and school districts and county offices of
30 education within the California Technology Assistance
31 Project region. School districts and county offices of
32 education within a California Technology Assistance
33 Project region shall have the opportunity to comment on
34 the report.

35 (c) Funding to support the regional education
36 technology services provided by the California
37 Technology Assistance Project shall be provided through
38 the annual Budget Act. Funding of the regional lead
39 agencies shall be approved by the State Board of
40 Education based on adopted guidelines.

1 SEC. 11. Section 51883 of the Education Code is
2 repealed.

3 SEC. 12. Section 51884 of the Education Code is
4 amended and renumbered to read:

5 51878. This article shall become inoperative on June
6 30, 2003, and, as of January 1, 2004, is repealed, unless a
7 later enacted statute, that becomes operative on or
8 before January 1, 2004, deletes or extends the dates on
9 which it becomes inoperative and is repealed.

10 SEC. 13. This act is an urgency statute necessary for
11 the immediate preservation of the public peace, health,
12 or safety within the meaning of Article IV of the
13 Constitution and shall go into immediate effect. The facts
14 constituting the necessity are:

15 In order to continue to implement the Digital High
16 School Education Technology Grant Program,
17 established pursuant to Chapter 8.5 (commencing with
18 Section 52250) of Part 28 of the Education Code, it is
19 necessary that this act take effect immediately.

